

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Zaihui Zhang et al.  
Application No. : 10/519,159  
Int'l Filing Date : June 18, 2003  
For : METHODS OF USING BENZOTHIOPHENONE DERIVATIVES  
TO TREAT CANCER AND INFLAMMATION

Docket No. : 540057.413USPC

Date : March 15, 2006

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P.O. Box 1450  
Alexandria, VA 22313-1450

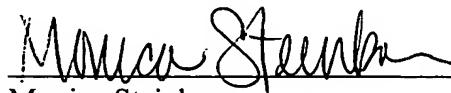
DECLARATION

Sir:

I, Monica Steinborn, in accordance with 37 C.F.R. § 1.821(f) do hereby declare that, to the best of my knowledge, the content of the paper entitled "Sequence Listing" and the computer readable copy contained within the compact disc are the same.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated this 15<sup>th</sup> day of March 2006.



Monica Steinborn  
Biotechnology Paralegal

701 Fifth Avenue, Suite 6300  
Seattle, WA 98104-7092  
(206) 622-4900  
FAX (206) 682-6031

<b>ELECTION AND POWER OF ATTORNEY and CORRESPONDENCE ADDRESS INDICATION FORM</b>	Application Number	10/519,159, U.S. National Phase of PCT/CA03/000921 filed June 18, 2003
	First Named Inventor	Zaihui Zhang
	Title	METHODS OF USING BENZOTHIOPHENONE DERIVATIVES TO TREAT CANCER OR INFLAMMATION
	Art Unit	
	Examiner Name	
	Attorney Docket Number	540057.413USPC

I hereby appoint:

☒ Practitioners at Seed IP Law Group PLLC, Customer Number: 00500

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above (and any continuation/divisional applications therefrom), and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☒ The above-mentioned Customer Number.

OR

☐ The address associated with Customer Number:

OR

<input type="checkbox"/> Firm or Individual Name					
Address					
Address					
City		State		ZIP	
Country					
Telephone		Fax			

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire Interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

☒ As assignee of record of the entire Interest I/we hereby elect, under 37 CFR 3.71, to prosecute the application to the exclusion of the inventor(s).

**SIGNATURE of Applicant or Assignee of Record**

Signature	<i>Jennifer Kaufman-Shaw</i>	Date	March 13, 2006
Name	Jennifer Kaufman-Shaw		
Title and Company (Assignee)	Chief Patent Counsel, QLT Inc. QLT Inc.		

NOTE: Signatures of all the inventors or assignees of record of the entire Interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☐ \*Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. 540057.413USPC

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**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Zaihui Zhang et al.Application No: 10/519,159, U.S. National Phase of PCT/CA03/000921  
filed June 18, 2003Entitled: **METHODS OF USING BENZOTHIOPHENONE DERIVATIVES TO TREAT  
CANCER OR INFLAMMATION**QLT Inc.

(Name of Assignee)

a

corporation(Type of Assignee, e.g., corporation, partnership,  
university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_%

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above.  
The assignment was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the  
current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.☐ Additional documents in the chain of title are listed on a supplemental sheet.☐ Copies of assignments or other documents in the chain of title noted in B above are  
attached.**[NOTE:** A separate copy (i.e., the original assignment document or a true copy of the original document) must be  
submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the  
records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

March 13, 2006

Date

Jennifer Kaufman-Shaw

Typed or printed name

604-707-7000

Telephone Number

Jennifer Kaufman-Shaw

Signature

Chief Patent Counsel

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

## ASSIGNMENT

THIS ASSIGNMENT, by

Zaihui Zhang, having a mailing address of:  
4038 MacDonald Street, Vancouver, British Columbia V6L 2N9 Canada;

Timothy S. Daynard, having a mailing address of:  
1836 West 62<sup>nd</sup> Avenue, Vancouver, British Columbia V6P 2G4 Canada; and

Gabriel Bela Kalmar, having a mailing address of:  
7591 Langton Road, Richmond, British Columbia V7C 4B4 Canada

(hereinafter referred to as the Assignors), witnesseth:

WHEREAS, said Assignors have invented certain new and useful improvements in **METHODS OF USING BENZOTHIOPHENONE DERIVATIVES TO TREAT CANCER OR INFLAMMATION**, set forth in an application for Letters Patent of the United States filed and assigned Application Serial No. 10/519,159. This application is a national stage application filed under 35 U.S.C. 371 of International Application No. PCT/CA03/000921, accorded an International Filing Date of June 18, 2003; which claims the benefit of U.S. Provisional Patent Application No. 60/390,589 filed June 21, 2002; and

WHEREAS, **QLT Inc.**, a corporation duly organized under and pursuant to the laws of the Province of British Columbia and having its principal place of business at 887 Great Northern Way, Vancouver, British Columbia V5T 4T5 Canada (hereinafter referred to as the Assignee) is desirous of acquiring the Assignors' entire right, title and interest in and to said invention and said application for Letters Patent of the United States, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon:

NOW, THEREFORE, in exchange for good and valuable consideration, the receipt of which is hereby acknowledged, said Assignors have sold, assigned, transferred and set over, and by these presents do sell, assign, transfer and set over, unto said Assignee, its successors, legal representatives and assigns, their entire right, title and interest in and to the above-mentioned invention, application for Letters Patent and any and all Letters Patent or Patents in the United States of America and all foreign countries which may be granted therefor and thereon, and in and to any and all divisions, continuations and continuations-in-part of said applications, or reissues or extensions of said Letters Patent or Patents, and all rights under the International Convention for the Protection of Industrial Property, including the right to file foreign applications directly in the name of Assignee and to claim priority rights deriving from said United States application to which said foreign applications are entitled by virtue of international convention, treat or otherwise, said invention, application and all Letters Patent on said invention to be held and enjoyed by said Assignee, for its own use and the use of its successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted, as fully and entirely as the same would have been held and enjoyed by the Assignors, had this sale and assignment not been made.

AND for the same consideration, said Assignors hereby covenant and agree to and with said Assignee, its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, said Assignors are the sole and lawful owners of their entire right, title and interest in and to said inventions and applications, above-mentioned, and that the same are unencumbered and that said Assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth.

AND for the same consideration, said Assignors hereby covenant and agree to and with said Assignee, its successors, legal representatives and assigns, that said Assignors will, whenever counsel of said Assignee, or the counsel of its successor, legal representatives and assigns, shall advise that any proceeding in connection with said inventions, or said applications, or any proceeding in connection with Letters Patent for said inventions in any country, including interference proceedings, is lawful and desirable, or that any division, continuation or continuation-in-part of any application for Letters Patent or any reissue or extension of any Letters Patent, to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent for said inventions, without charge to said Assignee, its successors, legal representatives and assigns, but at the cost and expense of said Assignee, its successors, legal representatives and assigns.

AND said Assignors hereby request the Commissioner of Patents to issue said Letters Patent of the United States to said Assignee as the Assignee of said inventions and the Letters Patent to be issued thereon for the sole use of said Assignee, its successors, legal representatives and assigns.

This Assignment is effective as of June 18, 2003.

March 10, 2006 Zaihui Zhang  
Date

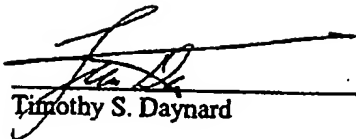
I do hereby certify that Zaihui Zhang, who is personally known to me/or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, did appear before me and sign this instrument and did statutorily declare before me upon oath that he executed the same in my presence for the uses and purposes therein expressed.

Karen G. Corraini  
Signature of Notary Public

**KAREN G. CORRAINI**  
Printed Name **BARRISTER & SOLICITOR**

My appointment does not expire

MARCH 02/2006  
Date

  
Timothy S. Daynard

I do hereby certify that Timothy S. Daynard, who is personally known to me/or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, did appear before me and sign this instrument and did statutorily declare before me upon oath that he executed the same in my presence for the uses and purposes therein expressed.

  
Signature of Notary Public

Jennifer R. Braeze  
Printed Name C/O QT Inc., 887 Great Northern  
Way, Vancouver, BC, Canada  
My appointment does not expire

Assignment

Attorney Docket No.: 540057.413USPC  
Application No. 10/519159

March 7, 2006  
Date

[Signature]  
Gabriel Bela Kalmar

WITNESS:

The undersigned, witnessed Gabriel Bela Kalmar execute this document.

[Signature]  
Signature:

March 7/06  
Date:

Name: ALFRED LAKE Alfred Lake

Address: 511 ST. GILES RD.

WEST VANCOUVER, BC

Citizenship CANADIAN

WITNESS:

The undersigned, witnessed Gabriel Bela Kalmar execute this document.

[Signature]  
Signature:

03/07/06  
Date:

Name: JENNY BOON Jenny Boon

Address: -101-175 EAST 107<sup>th</sup> ST.

NORTH VCBR. V7L 4W1

Citizenship CDN.

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DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)	
Title of Invention	METHODS OF USING BENZOTHIOPHENONE DERIVATIVES TO TREAT CANCER OR INFLAMMATION
<p>As the below named inventor(s), I/we declare that:</p> <p>This declaration is directed to:</p> <p><input type="checkbox"/> The attached application, or</p> <p><input checked="" type="checkbox"/> Application No. <u>10/519,159</u>, U.S. National Phase of PCT/CA03/000921 filed June 18, 2003,</p> <p><input type="checkbox"/> as amended on _____ (if applicable);</p> <p>I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;</p> <p>I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;</p> <p>I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.</p> <p>All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.</p>	
FULL NAME OF INVENTOR(S)	
1 - 00	<p>Inventor one: <u>Zalhui Zhang</u> Citizen of: <u>Canada</u></p> <p>Signature: _____ Date: _____</p>
2 - 00	<p>Inventor two: <u>Timothy S. Daynard</u> Citizen of: <u>Canada</u></p> <p>Signature: <u>[Signature]</u> Date: <u>MARCH 2 / 2006</u></p>
3 - 00	<p>Inventor three: <u>Gabriel Bela Kalmar</u> Citizen of: <u>Canada</u></p> <p>Signature: <u>[Signature]</u> Date: <u>March 3, 2006</u></p>
	<p>Inventor four: _____ Citizen of: _____</p> <p>Signature: _____ Date: _____</p>
<p><input type="checkbox"/> Additional inventors or a legal representative are being named on _____ additional form(s) attached hereto.</p>	

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. Docket No. 540057.413USPC

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**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION  
USING AN APPLICATION DATA SHEET (37 CFR 1.76)****Title of Invention****METHODS OF USING BENZOTHIOPHENONE DERIVATIVES  
TO TREAT CANCER OR INFLAMMATION**

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or  
☒ Application No. 10/519,159, U.S. National Phase of PCT/CA03/000921 filed June 18, 2003,  
☐ as amended on \_\_\_\_\_ (If applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

**FULL NAME OF INVENTOR(S)**Inventor one: Zaihui ZhangCitizen of: CanadaSignature: [Signature]Date: March 9, 2006Inventor two: Timothy S. DaynardCitizen of: Canada

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Inventor three: Gabriel Bela KalmarCitizen of: Canada

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Inventor four: \_\_\_\_\_

Citizen of: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

☐ Additional inventors or a legal representative are being named on \_\_\_\_\_ additional form(s) attached hereto.

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.  
Docket No. 540057.413USPC

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